

As Reported by the House State and Local Government Committee

132nd General Assembly

Regular Session

H. B. No. 715

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Representatives Schuring, West

**Cosponsors: Representatives Anielski, Hambley, Holmes, Arndt, Boyd, Hill,
Perales**

A BILL

To amend sections 729.52 and 743.06 of the Revised
Code to authorize a municipal corporation to use
up to 5% of its water and sewer funds for
sewerage or water system extensions in each
fiscal year when the extension is for economic
development purposes.

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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 729.52 and 743.06 of the Revised
Code be amended to read as follows:

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Sec. 729.52. (A) The funds received from the collection of
sewer rentals under section 729.49 of the Revised Code shall be
deposited weekly with the treasurer of the municipal
corporation. Money so deposited shall be kept as a separate and
distinct fund and shall be known as the sewer fund. When
appropriated by the legislative authority of the municipal
corporation, the fund shall be subject to the order of the
director of public service of a city or of the board of trustees
of public affairs of a village. The director or board shall sign
all orders drawn on the treasurer of the municipal corporation

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against such fund, ~~which~~. The fund shall be used for the
payment of the cost of the management, maintenance, operation,
and repair of the sewerage system and sewage pumping, treatment,
and disposal works and may be used for purposes of division (B)
of this section. Any surplus in such fund may be used for the
enlargement or replacement of the system and works, for
construction and reconstruction of main and interceptor storm
sewers, for the payment of the interest on any debt incurred for
the construction thereof, and for the creation of a sinking fund
for the payment of such debt, ~~but~~. However, except as otherwise
provided in division (B) of this section, the surplus shall not
be used for the extension of a sewerage system to serve
unsewered areas or for any other purpose; provided, where such
municipal corporation does not operate or maintain a sewage
pumping, treatment, and disposal works, any or all of such
surplus may be transferred to the general fund of the municipal
corporation in the manner provided in sections 5705.15 and
5705.16 of the Revised Code.

(B) In each fiscal year, a municipal corporation may use
up to five per cent of the gross amount of money deposited in
the municipal corporation's sewer fund in the preceding year for
the purpose of extending the municipal corporation's sewerage
system if the sewerage system is being extended to areas for
economic development purposes.

In any fiscal year, a municipal corporation shall not
exceed the five per cent limit established in this division.

Sec. 743.06. (A) Money collected for water-works purposes
shall be deposited weekly with the treasurer of the municipal
corporation, and shall be kept as a separate and distinct
fund. When appropriated by the legislative authority of the

municipal corporation, such money shall be subject to the order 49
of the director of public service. The director shall sign all 50
orders drawn on the treasurer of the municipal corporation 51
against such fund. 52

(B) In addition to the purposes specified in section 53
743.04 of the Revised Code, in each fiscal year, a municipal 54
corporation may use up to five per cent of the gross amount of 55
money deposited in the fund created under this section in the 56
preceding year for the purpose of extending the municipal 57
corporation's water system if the water system is being extended 58
to areas for economic development purposes. 59

In any fiscal year, a municipal corporation shall not 60
exceed the five per cent limit established in this division. 61

Section 2. That existing sections 729.52 and 743.06 of the 62
Revised Code are hereby repealed. 63